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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JOSE ESCOBEDO,

Plaintiff,

vs.

CHENG VANG dba SUSHIYAKI, et al.;

Defendants.

No. 1:23-cv-00207-JLT-BAM

**PLAINTIFF’S REQUEST TO CONTINUE  
MANDATORY SCHEDULING  
CONFERENCE; ~~PROPOSED~~ ORDER**

Date: July 25, 2023

Time: 9:30 a.m.

Courtroom: 8

Magistrate Judge Barbara A. McAuliffe

Plaintiff Jose Escobedo (“Plaintiff”), by and through his attorneys of record, hereby requests a continuance of the Mandatory Scheduling Conference currently scheduled in this matter for July 25, 2023 at 9:30 a.m. for the reasons set forth below.

1. No defendants have appeared in this action;

2. On June 30, 2023, the Court dismissed defendants Ying Vang and Maytia Vang pursuant to Plaintiff’s voluntary dismissal (Dkt. 18), leaving the remaining defendants Cheng Vang dba Sushiyaki and Tou Pao Yang dba Sushiyaki (the “Sushiyaki Defendants”);

3. A clerk’s default was entered against the Sushiyaki Defendants on April 12, 2023 (Dkt. 9);

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4. Plaintiff intends to file a motion for default judgment against the Sushiyaki Defendants, but requires additional time to obtain evidence that service of process was properly effected;

5. The Court previously granted a request made jointly by Plaintiff and defendants Ying Vang and Maytia Vang to continue the scheduling conference by approximately 63 days (Dkt. 14).

For the reasons set forth above, Plaintiff respectfully requests that the Mandatory Scheduling Conference currently set for July 25, 2023 be continued to a date on or after August 25, 2023 at the Court's convenience, pending the filing of Plaintiff's motion for default judgment.

Dated: July 18, 2023

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore

Tanya E. Moore  
Attorney for Plaintiff,  
Jose Escobedo

**ORDER**

Upon request by Plaintiff and good cause appearing,

**IT IS HEREBY ORDERED** that the Mandatory Scheduling Conference currently set for July 25, 2023 is continued to **August 29, 2023**, at **8:30 AM before Magistrate Judge Barbara A. McAuliffe** in Courtroom 8 of the above-entitled Court. A Joint Scheduling Report shall be filed one week prior to the Conference. If Plaintiff wishes to file a motion for default judgment, he shall do so no later than the deadline for filing the Joint Scheduling Report.

IT IS SO ORDERED.

Dated: **July 18, 2023**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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~~PROPOSED~~ ORDER